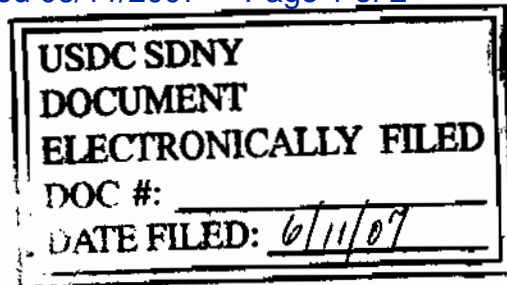


MEMO ENDORSED

MICHAEL A. CARDOZO
Corporation Counsel

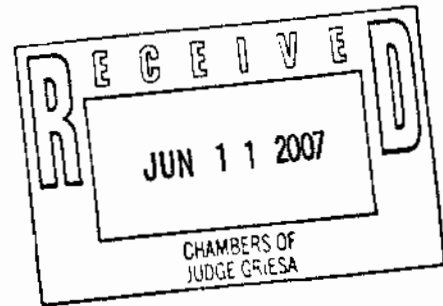
THE CITY OF NEW YORK
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(212) 788-1300
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June 11, 2007

VIA FACSIMILE (with permission) (212) 805-7908

Honorable Thomas P. Griesa
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007



Re: Jones v. City of New York 07 CV 3850 (TPG)

Your Honor:

I am the Assistant Corporation Counsel assigned to the defense for defendant City of New York and Commissioner Kelly with respect to the above-referenced matter, in which plaintiff alleges that he was subjected to excessive force by New York City Police Department. Defendants City and Kelly respectfully requests that their time to respond to the complaint be extended for sixty (60) days from the current due date of June 11, 2007 until August 11, 2007. Plaintiff's counsel has consented to this request.

There are several reasons for seeking an enlargement of time. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, we need this additional time to investigate the allegations of the complaint. Plaintiff alleges that he was subjected to excessive force in this case. Accordingly, it is necessary for defendants to acquire as much information as possible to properly assess this case and respond to the complaint.

Additionally, upon information and belief, one¹ of the four individual defendants have been served with the summons and complaint. This extension will provide plaintiff the time to serve those individuals who may not have been served, and provide time for this office to make representational decisions with respect to the individual defendants who have been served, and with respect to those who are timely served in the future. See *Mercurio v. The City of New York et al.*, 758 F.2d 862, 864-65 (2d Cir. 1985) (quoting *Williams v. City of New York et al.*, 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law)).

¹ This office does not yet represent any of the individual defendants except Commissioner Kelly.

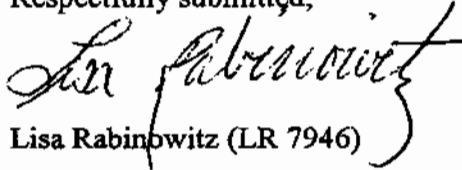
Approved:
Thomas P. Griesa
JSD 6/11/07

Honorable Thomas P. Greisa
June 11, 2007
Page 2

No previous request for an extension has been made by defendants. Accordingly, we respectfully request that defendants City and Kelly's time to respond to the complaint be extended until August 11, 2007.

Thank you for your consideration herein.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lisa Rabinowitz", written in black ink.

Lisa Rabinowitz (LR 7946)

cc: Leo Glickman, Esq.
(via fax: 212-763-5001)